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PTO/SB/21 (07-06)

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| | | |
|---|------------------------|-----------------------------|
| TRANSMITTAL FORM (to be used for all correspondence after initial filing) | Application Number | 10/666,168 |
| | Filing Date | September 19, 2003 |
| | First Named Inventor | Phillip Martin Gibbs et al. |
| | Art Unit | 3738 |
| | Examiner Name | Bruce E. Snow |
| Total Number of Pages in This Submission | Attorney Docket Number | 5490-000301 |

| ENCLOSURES (check all that apply) | | |
|---|--|--|
| <input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance Communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Resubmission of Amendment and Petition for Extension of Time (2) pages; attachments Tab A. Transmittal (1 page); Tab B. Fee Transmittal (1 page); Tab C. Amendment w/attachment A (22 pages); Tab D. Return postcard from U.S. Patent and Trademark office (1 page); Tab E. Express Mailing Label dated 03.08.2007 (1 page) and Tab F. copy of check cashed by the U.S. Patent and Trademark Office (1 page); and this return receipt postcard. |
| Remarks | | The Commissioner is hereby authorized to charge any additional fees that may be required under 37 CFR 1.16 or 1.17 to Deposit Account No. 08-0750. A duplicate copy of this sheet is enclosed. |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | | | |
|--|----------------------------------|------------------------------------|--------------------|
| Firm or Individual name | Harness, Dickey & Pierce, P.L.C. | Attorney Name Richard W. Warner | Reg. No. 38,043 |
| Signature | | | |
| Date | May 17, 2007 | | |

| CERTIFICATE OF TRANSMISSION/MAILING | | | |
|---|-------------------|------------------------|-------------------------------|
| I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. | | | |
| Typed or printed name | Richard W. Warner | Express Mail Label No. | EV 755 416 510 US (5/17/2007) |
| | | May 17, 2007 | |

EV 755 416 510 US



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/666,168
Filing Date: September 19, 2003
Applicant: Phillip Martin Gibbs, et al.
Group Art Unit: 3738
Examiner: Bruce Edward Snow
Title: MODULAR PROSTHETIC HEAD HAVING A FLAT
PORTION TO BE IMPLANTED INTO A CONSTRAINED
LINER
Attorney Docket: 5490-000301

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

RESUBMISSION OF AMENDMENT AND PETITION FOR EXTENSION OF TIME

Sir:

The Examiner contacted Applicants' representative regarding whether an Amendment and Response was filed after the Office Action mailed November 8, 2006. Applicants' representative indicated that a response was mailed March 8, 2007 with a Petition for Extension of Time and a check in the amount of \$120.00. Applicants' check in the amount of \$120.00 was cashed and Applicants received a marked postcard from the United States Patent and Trademark Office showing receipt of the Amendment and check on March 8, 2007. Therefore, the present Application is not abandoned as a timely response was made.

Applicants submit herewith a copy of:

Tab A. The Transmittal signed and dated March 8, 2007;

Tab B. The Fee transmittal signed and dated March 7, 2007;

Tab C. The Amendment signed and dated March 8, 2007 including an attachment A;

Tab D. The Return postcard dated March 8, 2007 from the United States Patent and Trademark Office;

Tab E. The Express Mailing Label dated March 8, 2007 having the same express mail label number as listed on the postcard (Tab D) and transmittal (Tab A); and

Tab F. The Copy of the check cashed by the United States Patent and Trademark Office.

Applicants request that this Amendment be entered and provide the above evidence as proof that the amendment was timely filed on March 8, 2007.

If a petition is required, Applicants request that this be considered a petition of non-abandonment and to enter the previously filed amendment. If any fee is needed please charge deposit account number: 080750 the appropriate amount, a copy of this paper is enclosed.

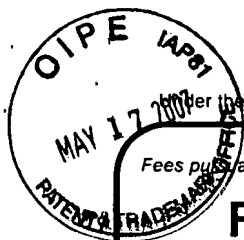
Respectfully submitted,

Date: May 17, 2007

By: _____


Richard W. Warner, Reg. No. 38,043

HARNESS, DICKEY & PIERCE, P.L.C.
P.O. Box 828
Bloomfield Hills, Michigan 48303
(248) 641-1600
SJF/RWW/MLT/srh



Effective on 12/08/2004
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL for FY 2007

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 120

Complete if Known

| | |
|----------------------|------------------------------|
| Application Number | 10/666,168 |
| Filing Date | September 19, 2003 |
| First Named Inventor | Phillip Martin Gibbs, et al. |
| Examiner Name | Bruce Edward Snow |
| Art Unit | 3738 |
| Attorney Docket No. | 5490-000301 |

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify) : _____
☐ Deposit Account Deposit Account Number: 08-0750 Deposit Account Name: Harness, Dickey & Pierce, PLC

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee
☒ Charge any additional fee(s) or underpayments of fee(s) ☒ Credit any overpayments
Under 37 CFR 1.16 and 1.17

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

| Application Type | FILING FEES | | SEARCH FEES | | EXAMINATION FEES | | Fees Paid (\$) |
|------------------|-------------|-----------------------|-------------|-----------------------|------------------|-----------------------|----------------|
| | Fee (\$) | Small Entity Fee (\$) | Fee (\$) | Small Entity Fee (\$) | Fee (\$) | Small Entity Fee (\$) | |
| Utility | 300 | 150 | 500 | 250 | 200 | 100 | _____ |
| Design | 200 | 100 | 100 | 50 | 130 | 65 | _____ |
| Plant | 200 | 100 | 300 | 150 | 160 | 80 | _____ |
| Reissue | 300 | 150 | 500 | 250 | 600 | 300 | _____ |
| Provisional | 200 | 100 | 0 | 0 | 0 | 0 | _____ |

2. EXCESS CLAIM FEES

| Fee Description | Fee (\$) | Small Entity Fee (\$) |
|--|---------------------|-----------------------|
| Each claim over 20 (including Reissues) | 50 | 25 |
| Each independent claim over 3 (including Reissues) | 200 | 100 |
| Multiple dependent claims | 360 | 180 |
| Total Claims | Extra Claims | Fee (\$) |
| _____ -20 or HP= 0 | x _____ | = 0 |
| HP = highest number of total claims paid for, if greater than 20. | | |
| Indep. Claims | Extra Claims | Fee (\$) |
| _____ - 3 or HP= 0 | x _____ | = 0 |
| HP = highest number of independent claims paid for, if greater than 3. | | |

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

| | | | | |
|--------------|--------------|--|----------|---------------|
| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof | Fee (\$) | Fee Paid (\$) |
| _____ | = 0 | / 50 = 0 (round up to a whole number) x | | = 0 |

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): One month extension fee

Fees Paid (\$)
120.00

SUBMITTED BY

| | | | | | |
|-------------------|-------------------|--------------------------------------|------------|-----------|--------------|
| Signature | | Registration No. (Attorney/Agent) | 38,043 | Telephone | 248-641-1600 |
| Name (Print/Type) | Richard W. Warner | Date | 03/07/2007 | | |

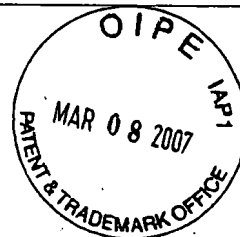
This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing this form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

| | | | |
|---|-----------------------------|--------------|--------------------|
| Applicant: | Phillip Martin Gibbs et al. | Case No.: | 5490-000301 |
| Serial No.: | 10/666,168 | Filing Date: | September 19, 2003 |
| Title: MODULAR PROSTHETIC HEAD HAVING A FLAT PORTION TO BE IMPLANTED INTO A CONSTRAINED LINER | | | |

Please acknowledge receipt of: EV 522 877 425 US (3/8/2007)

Check in the amount of \$120.00; Transmittal; Fee Transmittal (in duplicate); Amendment and Petition for One Month Extension (21 pages); 1 Attachment (American Heritage College Dictionary, Pg. 4); and Return Receipt Postcard.



EV 522 877 425 US

By stamping and returning to Harness, Dickey & Pierce, P.L.C.

USPTO Date Stamp

Due: 02-08-2007

Date Mailed: 03-08-2007

Attorney: RWW/MLT

HD & P
TROY
2007 MAR 19 A 9 52



Pike Expedition, November 1806, Rocky Mountains

HARNESS, DICKEY & PIERCE, P.L.C.

5445 Corporate Drive - Suite 200

Troy, Michigan 48098-2684



PATENT AND TRADEMARK OFFICE
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03-12-2007
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